

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

MICHAEL GANN,

Defendant.

**Affirmation in Support of  
Application for Order of  
Continuance**

25 Mag. 1898

State of New York )  
County of New York : ss.:  
Southern District of New York )

Jonathan L. Bodansky, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of Jay Clayton, United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which a preliminary hearing would have to be conducted or an indictment or information would have to be filed, pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure and 18 U.S.C. § 3161(h)(7)(A).

2. The defendant was charged in a complaint dated June 6, 2025, with violations of 18 U.S.C. §§ 842(a) and 2; and 26 U.S.C. §§ 5822, 5861(d), 5861(f), and 5871. The defendant was arrested on June 5, 2025, and was presented in this District before Magistrate Judge Katharine H. Parker on June 6, 2025, at which proceeding the defendant was represented by Martin Cohen, Esq., and ordered detained.

3. At the presentment on June 6, 2025, a preliminary hearing was scheduled for June 23, 2025. Under the Speedy Trial Act, the Government had until July 7, 2025 within which to file an indictment or information. *See* 18 U.S.C. § 3161(b).

5. Defense counsel and I have had discussions regarding a possible disposition of this case. In addition, the Government expects to produce certain discovery materials to assist those ongoing discussions. The parties plan to continue our discussions, but do not anticipate a resolution before June 23, 2025.

6. Therefore, the Government requests a 30-day continuance until July 23, 2025, to continue the foregoing discussions toward resolving this matter. On June 13, 2025, I personally corresponded with defense counsel, who stated that the defendant consents to an extension of the preliminary hearing and Speedy Trial Act deadlines to July 23, 2025, and has specifically consented to this request.

7. For the reasons stated above, good cause supports the extension of the preliminary hearing deadline, and the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: New York, New York  
June 17, 2025

/s/ Jonathan L. Bodansky  
Jonathan L. Bodansky  
Assistant United States Attorney  
212-637-2385